

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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LARRY BRACEY,

Plaintiff,

v.

ORDER

JAMES GRONDIN, C.O. HUNT, THOMAS  
TAYLOR, C.O. MURRAY, C.O. KOELLER  
and JOLINDA WATERMAN,

10-cv-287-bbc

Defendants.

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Plaintiff Larry Bracey is proceeding on his claims that defendants James Grondin, C. O. Hunt, Thomas Taylor, C.O. Murry and C.O. Koeller violated his Eighth Amendment right to be free from excessive force and that defendant Jolinda Waterman acted with deliberate indifference to his medical condition when she failed to examine his head injuries. He is also pursuing state law claims of assault and battery and medical negligence. Now before the court is plaintiff's motion to compel discovery. Dkt. #28.

**Interrogatories**

In interrogatory number 7, plaintiff asks defendants to define "directed" as used in Hunt's statement that he "directed inmate Bracey into the door frame." Defendant answered this interrogatory by stating that the inmate was "immobilized against the door in a controlled manner". This response suffices.

In interrogatory 11, plaintiff asks for each defendant's net worth. Defendants object that this interrogatory does not seek information that is likely to lead to admissible evidence. The court agrees and it will not compel defendants to answer this interrogatory.

Plaintiff asks in interrogatory 12 whether any defendant has been held liable or entered into a settlement agreement in a similar case. Defendants respond that none of the defendants have been found guilty of excessive force or denial of medical treatment in any criminal or civil proceeding. This response suffices.

Interrogatories 14 and 19 seek information concerning the video monitoring devices installed in the A-Unit hallway at the Wisconsin Secure Program Facility. Defendants object to the provision of this information for security reasons. Despite their objections, defendants respond that they were capable of recording and preserving visual tapes on July 29, 2005, but that no video exists from the July 29, 2005 incident. This response suffices.

## **DOCUMENT REQUESTS**

In his first request for production of documents plaintiff seeks documents relied on to answer interrogatories. Defendants object to producing Security Internal Management Procedures (SIMPs) 20, 22 and 25, which relate to video recording procedures, on the grounds that releasing this information would breach the security of the institution. Any minimal relevance of these documents is outweighed by the potential to affect institution security. These documents need not be produced.

In request 3, plaintiff seeks information concerning any cases in which defendants were found to have violated any state or federal law alleged to have been violated in this case. Defendants object that the request is overly broad but respond that defendants have not been found guilty of excessive force or denial of medical treatment in any criminal or civil proceeding. This response suffices.

In request 4, plaintiff seeks the defendants' liability insurance policies. These documents are not likely to lead to admissible evidence and need not be produced.

In his motion to compel, plaintiff seeks the nursing protocol for soft tissue injury. This document would not be responsive to any discovery request, so there is no basis for the court to intercede at this point on this discovery request.

#### ORDER

IT IS ORDERED that plaintiff Larry Bracey's motion to compel discovery, dkt. 28, is DENIED.

Entered this 25<sup>th</sup> day of February, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge